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*Attorneys for Tucker Defendants, Counterclaimants,
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IN THE UNITED STATES DISTRICT COURT

IN AND FOR THE DISTRICT OF ARIZONA

Labor Smart, Inc.

Plaintiff,

V.

Jason and Melissa Tucker,

Defendants

And related Counterclaims and Third-Party Claims.

Case No. 2:22-cv-00357-PHX-DJH

**STIPULATION TO DISMISS
SPECIFIC CLAIMS**

(Before the Honorable D. Humetewa)

By and through undersigned counsel, the parties remaining in this lawsuit ((Plaintiff and Counter-Defendant Labor Smart, Inc., "LTNC" and Third-Party Defendants Michael and Chirine Holley, Toby McBride, Joseph Pavlik, Thomas and Kimberly Zarro, and NextGen Beverages, LLC "NextGen", on one hand, and Jason and Melissa Tucker "the Tuckers", on the other hand (all collectively "the Parties")) have jointly conferred and agree that LTNC's two (2) remaining claims against the Tuckers for Breach of Fiduciary Duties and Conversion shall be dismissed, with prejudice.

The Parties further agree that no party forfeits its right to seek or argue about fees or costs against another party as arising from dismissal of these claims or this Stipulation.

A proposed order of dismissal is provided herewith.

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RESPECTFULLY SUBMITTED this 8th day of January, 2026.

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